REMARKS

Claims 1-6, 8, 9, and 11-23 are currently pending in the present application. Support for the amendments may be found throughout the specification, such as page 12, lines 6-18, and page 14, line 27, to page 15, line 26, for example. No new matter has been added by way of the amendments.

Interview Summary

Applicant's representative, Mr. Mr. Bentley Olive, and Examiner Jean Gilles participated in a telephonic interview on October 29, 2009, to discuss the claim amendments and remarks herein. The Examiner agreed to reevaluate the rejections in view of the amendments and remarks herein.

Claim Rejections – 35 U.S.C. § 102

Claims 1-6, 8, 9, and 11-23 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2001/0014868 to Herz et al. ("Herz"). Without conceding the merits of the rejection, Applicants have amended independent claims 1, 17, and 22 to further clarify the claimed subject matter.

Claim 1 has been amended to recite, in part, an instruction set that includes an algorithm for operating on a generated user preference to obtain a range of concentric user-targeted content. The range of concentric user-targeted content includes a buy content offering, a product content offering, and a brand content offering. The buy content offering includes a first product that is directly related to a request of the participating user. The product content offering includes a second product that is indirectly related to the user's request and that is correlated to the user's profile information. The brand content offering includes a third product that is indirectly related to the user's request and that is correlated to the user's profile information and content usage information. As such, each of the content offerings is correlated in varying degrees to the generated user preference. ***The buy content offering, product content offering, and brand content offering are configured to be displayed in first, second, and third display panes, respectively, at different positions on a***

display screen. Further, the display panes are configured to track and respond to the
participating user's requests during a content usage session.

For example, a user may request original content relating to flea removal for pets
(Patent Application at p. 15, ll. 2 and 3). In addition, the user's profile information may
indicate that the user is a dog owner and a SUV owner, and the user's recent content usage
history may indicate that the user was requesting travel content (*id.* at p. 15, ll. 3-6).
Employing this content usage information and processing it with the user's profile
information, a concentric user-targeted content delivery system may aggregate a range of
relevant content offerings including a dog flea collar advertisement as a "buy" content
offering, a pet deodorizer for vehicles as a "product" content offering, and a kennel shelter as
"brand" content offering (*id.* at p. 15, ll. 4-19). Thus, as would be appreciated by one skilled
in the art, the claimed subject matter may offer more comprehensive, relevant content by
matching content (*e.g.*, a kennel shelter) based on various types of seemingly unrelated user
information (*e.g.*, user usage information indicating a request for travel content and user
profile information indicating that a user is a pet owner) (*id.* at p. 15, ll. 6-8).

Further, for example, concentric user-targeted content may be presented in the form of
3 embedded display panes in a content browsing computing application (*id.* at p. 12, ll. 6-10).
The display panes represent three graduated levels of user targeting (*id.* at p. 12, ll. 10 and
11). These display panes maintain an amount of intelligence in that they track and respond to
a participating user through his/her content usage session (*id.* at p. 12, ll. 11-13). The three
display panes comprise a macro (the least targeted) pane, a mezzo display, and a micro
display (*id.* at p. 12, line 13, - p. 13, line 31). Figure 6, for example, shows a screen shot of a
computing application showing user-targeted content 630a, 630b, and 630c displayed in
different display panes at different positions.

Herz does not teach each and every feature recited by claim 1. Particularly, Herz does
not teach the claim 1 features of: (1) ***each of a buy content offering, a product content***
offering, and a brand content offering being correlated in varying degrees to a generated
user preference; (2) ***the buy content offering, product content offering, and brand content***
offering being configured to be displayed in first, second, and third display panes,
respectively, at different positions on a display screen; and (3) ***the display panes being***
configured to track and respond to the participating user's requests during a content usage

session. Rather, Herz teaches presenting offers to a shopper based on the shopper's profile, the shopper's search input, the shopper's preferences, and other information (Herz at ¶¶ [0036]-[0039]). However, there is no teaching in Herz of displaying a buy content offering, a product content offering, and a brand content offering in first, second and third display panes, respectively, as recited by claim 1. Further, there is no teaching in Herz of the offerings being correlated by varying degrees to a generated user preference, as recited by claim 1. Although Herz teaches that offers relevant to the shopper's goals may be displayed more centrally than others (*see e.g.*, ¶ [0038] of Herz), there is no disclosure of display panes, as recited by claim 1, that are configured to track and respond to the participating user's requests during a content usage session. Therefore, for at least these reasons, Applicants respectfully submit that Herz does not ***teach each and every feature*** recited by amended claim 1.

Independent claims 17 and 22 have been amended similar to claim 1. Therefore, for at least the reasons set forth above with respect to claim 1, Applicants respectfully submit that Herz does not teach each and every feature recited by claims 17 and 22. Claims 2-6, 8, 9, 11-14, and 16-23 depend upon one of claims 1, 17, and 22. Claim 15 has been canceled. Accordingly, it is respectfully submitted that the rejection of claims 1-6, 8, 9, and 11-23 under 35 U.S.C. § 102(e) should be withdrawn.

CONCLUSION

In view of the foregoing, Applicants respectfully submit that the claims are allowable and that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow the present application for any reason, the Examiner is encouraged to contact the undersigned attorney, Kenneth R. Eiferman, to discuss the resolution of any remaining issues.

Date: November 9, 2009   /Kenneth R. Eiferman/
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